

REMARKS

Claims 1-5, 13, 15, 16, 25-41, 59-70, 75, 80-86, 94-98, 105-109, 111-116, 132-133, 146-148 and 207-222 were under examination in the outstanding Office Action. Applicants note with appreciation that the Examiner rejoined and examined a number of the previously restricted claims. Applicants further note with appreciation the Examiner's indication that Claims 1-5, 13, 15, 16, 25-41, 59-70, 75, 94-98, 105-109, 111-116, 132-133, 146-148 and 207-222 are in condition for allowance.

Claims 44, 50, 52, 54, 55 and 81 have been canceled, and Claims 35, 80, 82 and 107 have been amended above. The amendments to Claims 35 and 107 are to correct minor typographical errors. The amendments to Claims 80 and 82 are discussed below. Applicants respectfully request entry of these claims amendments, which have been made to put the application in better condition for allowance or appeal.

The remaining issues raised in the Office Action are addressed individually below.

I. Reddy et al.

Claims 80 and 83 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. 6,492,343 (Reddy). While applicants do not agree with this rejection for the reasons of record, Claim 80 has been amended to recite "wherein said isolated DNA is stably integrated into the genome of said cell" in order to expedite the allowance of this application. This claim language is similar to that of Claim 81 (canceled herein), which was free of the rejection over Reddy.

Accordingly, Applicants submit that the amendment to Claim 80 addresses the outstanding §102 rejection over Reddy, and request that this rejection be withdrawn with respect to Claim 80 as well as dependent Claim 83.

II. Slemenda et al. in view of Oosterom-Dragon and Reddy.

Claims 80 and 82-84 stand rejected under 35 U.S.C. §103(a) as unpatentable for obviousness over Slemenda et al. (*Nucleic Acids Res.* 18 (1990)) taken together with Oosterom-Dragon (*J. Virology* 33:1203-1207 (1980)) and Reddy.

Again, although Applicants do not agree with this rejection, as described in the previous section Claim 80 has been amended to incorporate language along the lines of Claim 81. As Claim 81 is free of the present §103 rejection, this amendment also addresses the rejection of Claim 80 over the cited references.

In view of the foregoing, Applicants respectfully request that the outstanding obviousness rejection of Claim 80, and dependent Claims 82-84, be withdrawn.

III. Objections to Claims 81, 85 and 86.

Claims 81, 85 and 86 stand objected to for depending from a rejected base claim, but as allowable if rewritten in independent form.

Claim 81 has been canceled. Claims 85 and 86 depend from Claim 80. The rejections against Claim 80 have been addressed in the previous two sections. Accordingly, Applicants request that the objections to Claims 85 and 86 be withdrawn.

IV. Conclusion.

The concerns of the Examiner having been addressed in full, Applicants respectfully request withdrawal of all outstanding rejections and the issuance of a Notice of Allowance forthwith. The Examiner is encouraged to address any questions regarding the foregoing to the undersigned attorney, who may be reached at (919) 854-1400.

Respectfully submitted,

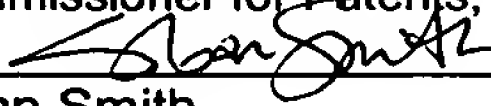


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In re: Amalfitano et al.
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